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Attorney for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

BLOSSOM OLD BULL, Personal Representative of the Estate of Braven Glenn, Plaintiff, v. UNITED STATES OF AMERICA and DOES 1-10, Defendants.	CV 22-109-BLG-KLD PLAINTIFF’S PRELIMINARY PRETRIAL STATEMENT
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A. Brief Facts

On November 24, 2020, Braven Glenn, 17-year-old son of Blossom Old Bull, died in a motor vehicle crash while being pursued at high speeds by tribal police on the Crow Indian Reservation in Montana. Bureau of Indian Affairs law

enforcement personnel were aware of the pursuit as well as the lack of training and qualifications of the tribal police, but did not intervene to stop the pursuit. Braven Glenn's vehicle left the roadway and crashed into a moving train that was on the tracks adjacent to the roadway. Braven was ejected from the vehicle.

Bureau of Indian Affairs law enforcement personnel followed the pursuit and were at the crash site before Braven died. Bureau of Indian Affairs law enforcement personnel called for an ambulance to respond to the crash site, but later rescinded the request for an ambulance. Around 10:00 pm on November 24, 2020, BIA Officer Jose Figueroa Jr. came to Blossom Old Bull's home and informed Keenan Roth, Braven's brother, that BIA officers had "clocked" Braven driving in excess of the speed limit and initiated a car chase that at times exceeded 90 miles per hour.

On Braven's death certificate, the time of injury is 18:57pm.

B. Jurisdiction and Venue

Jurisdiction and venue are proper in this court.

C. Factual and Legal Bases of claims

Plaintiff alleges that BIA law enforcement officers while acting under color of law and in the course and scope of their positions as police officers, unlawfully

failed to use the degree of care an ordinarily prudent person would use in the same circumstances. Plaintiff alleges that the BIA officers failed to conform to the standard of care expected of a reasonable police officer. In order to bring a negligence claim in Montana, Plaintiff must show that the officers were negligent under Montana law, breached that duty, and the breach caused harm to Braven Glenn and Blossom Old Bull.

D. Damages

Damages have not yet been computed in this matter.

E. Related litigation

Ms. Old Bull is bringing a claim against tribal officers in Crow Tribal Court.

F. Proposed Stipulations of Fact

Parties have filed a Statement of Stipulated Facts.

G. Joinder

Parties have agreed to have until March 10, 2023, to add parties or amend pleadings.

H. Pretrial Disposition

Ms. Old Bull is not aware of any issues appropriate for pretrial disposition.

I. Persons with Knowledge

Blossom Old Bull, plaintiff, Braven Glenn's mother, Crow Agency, MT

Marissa Roth, Braven Glenn's sister, Crow Agency, MT

Keenan Roth, Braven Glenn's brother, Crow Agency, MT

Pamela Sue Klier, Sheridan, WY, tribal officer

Jose Figueroa, Jr., Crow Agency, MT BIA officer

Terry Bullis, mortician

BIA Internal Affairs investigation officers

J. Insurance

Ms. Old Bull is not aware of any insurance covering this matter.

K. Settlement

No settlement discussions have taken place, and any settlement prospects will not be known until parties have had opportunity for further discovery.

L. Special procedures

Ms. Old Bull is not aware of any necessary special procedures in this matter.

DATED this 25th day of January, 2023.

/s/ Timothy M. Bechtold
Attorney for Plaintiff